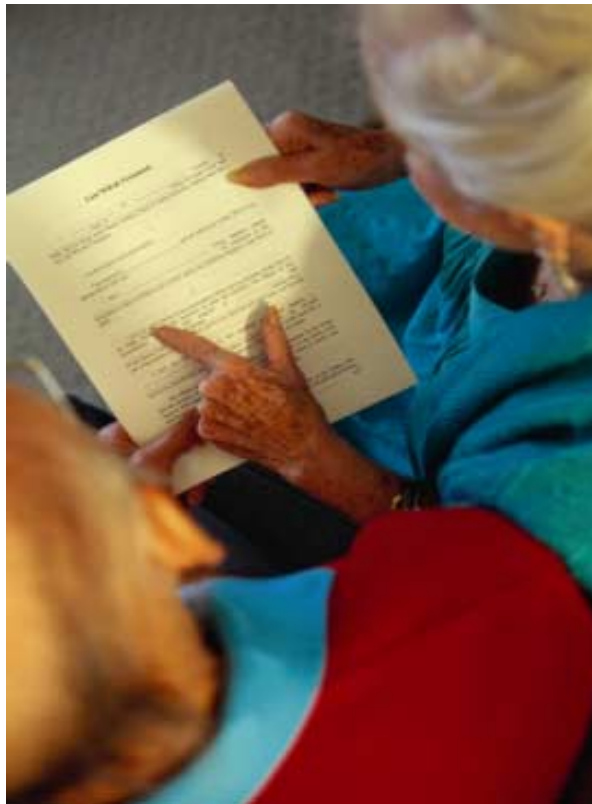


Legal Services for Older Adults in Utah



State of Utah
Department of Human Services
Division of Aging and Adult Services
120 North 200 West
Salt Lake City, Utah 84103
July 2003

This information is for older persons, their families and friends, and the advocates who help them. The information has been compiled by the state's Legal Services Developer and can also be found on the web site of the Utah Division of Aging and Adult Services at: <http://www.hsdaas.utah.gov/>.

If you have questions or comments about this information, please call 801-538-3910.

This information is subject to change.

To report abuse, neglect or exploitation of an older or vulnerable adult, contact Adult Protective Services at:

801-264-7669 (in Salt Lake County)
1-800-371-7897 (in all other counties in Utah)

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Introduction

Many older people experience problems that threaten their autonomy, dignity, health, income, rights, and security. Many of these problems can be avoided or remedied by legal intervention.

Sometimes older persons may not realize the problem they are facing is a legal one. Other times, an older person and/or a caregiver may know he or she needs a lawyer's help, but doesn't know how to get a lawyer, or is afraid of the cost of a lawyer.

Legal assistance is available to persons in Utah 60 years of age and older. Legal help is available even if you are homebound or in a nursing home or hospital. Whenever possible, legal services will be provided free of charge and in a language you understand. Most importantly, the legal services providers will represent your interests.

Older Americans Act

The Older Americans Act, a federal law, requires states and Area Agencies on Aging to make legal assistance available to persons 60 years of age and older, and in particular, to those elders in greatest social and economic need. Legal assistance is a service provided through Utah's twelve Area Agencies on Aging together with a network of legal services providers throughout Utah. Services are often limited due to funding restrictions.

What Legal Issues Do Older Persons Typically Face?

Legal assistance provided through Older Americans Act programs typically addresses the following types of cases:

- Age discrimination
- Consumer fraud
- Domestic relations-divorce and domestic violence
- Estate planning-simple wills, some forms of trusts, simple estate administration
- Grandparents' rights
- Guardianship, powers of attorney, and other surrogate decision making issues
- Health care-Medicare, Medicaid, other insurance issues
- Home ownership, housing, and landlord/tenant issues
- Income protection-Social Security, SSI, Veterans Benefits, food stamps, and other government benefits
- Long Term Care-nursing homes, assisted living, and resident rights
- Protective Services-abuse, neglect, and financial exploitation

What Kind of Legal Help Is Available?

- Community education on legal and related issues
- Counseling and other assistance to individuals

- Dispute resolution and mediation
- Information and referral
- Legal advice and representation by qualified lawyers

Who Provides the Legal Services Required by the Older Americans Act?

The State of Utah Division of Aging and Adult Services, and the state's twelve Area Agencies on Aging do not directly provide legal services. These agencies contract with Utah Legal Services, Inc., and some private attorneys, to provide free legal assistance to persons 60 years of age and older for certain civil legal matters. Services are often limited due to funding restrictions.

The Legal Services Developer, a lawyer with the Division of Aging and Adult Services, provides state coordination of legal assistance for older adults. The Legal Services Developer can answer your questions directly and make sure you get the legal help you need. She can also make presentations on legal issues to community groups and professional organizations.

Other legal resources in Utah include several non-profit legal agencies and volunteer lawyers and programs that provide free legal services, and private attorneys who handle individual cases for a fee. The Utah State Bar provides information on volunteer lawyers and programs and provides consumers with a lawyer referral service for private-pay attorneys.

Where Do I Go to Get Legal Help?

Contact your local **Area Agency on Aging** for information on the legal services providers in your area. If you need help outside of Utah, call **Eldercare Locator** at 1-800-677-1116, or locate its web site at www.eldercare.gov. You can also locate your closest Area Agency on Aging on the web site for the United States Administration on Aging at www.aoa.gov. Here are Utah's twelve Area Agencies on Aging:

Bear River Area Agency on Aging (Box Elder, Cache, Rich Counties)

170 North Main
Logan, UT 84321
Phone: (435) 752-7242

Davis County Dept. of Aging Services (Davis County)

Courthouse Annex
50 East State (P. O. Box 618)
Farmington, UT 84025
Phone: (801) 451-3370

Five-County Area Agency on Aging (Beaver, Garfield, Iron, Kane, Washington Counties)

906 North 1400 West
St. George, UT 84771
Phones: (435) 673-3548 (St. George)
(435) 586-2975 (Cedar City)
(435) 676-2281 (Panguitch)

Mountainland Dept. of Aging and Adult Services (Summit, Utah, Wasatch Counties)

586 East 800 North
Orem, UT 84097-4146
Phone: (801) 229-3800

Salt Lake County Aging Services (Salt Lake County)

2001 South State, #S1500
Salt Lake City, UT 84190-2300
Outreach: (801) 468-2480
Phone: (801) 468-2454

San Juan County Area Agency on Aging (San Juan County)

117 South Monticello, UT 84535-0009
Phone: (435) 587-3225

Six-County Area Agency on Aging (Juab, Millard, Piute, Sanpete, Sevier, Wayne Counties)

250 North Main, Room 5
Richfield, UT 84701
Phone: (435) 896-9222

Southeastern Utah AAA (Carbon, Emery, Grand Counties)
375 South Carbon Avenue
Technical Assistance Center
Price, UT 84501
Phone: (435) 637-4268

Tooele Co. Div. of Aging and Adult Services (Tooele County)
59 East Vine Street
Tooele, UT 84074
Phone: (435) 882-2870

Uintah Basin Area Agency on Aging (Daggett, Duchesne Counties)
855 East 200 North (112-3)
Roosevelt, UT 84066
Phone: (435) 722-4518

Uintah County Area Agency on Aging (Uintah County)
155 South 100 West
Vernal, UT 84078
Phone: (435) 789-2169

Weber Area Agency on Aging (Weber, Morgan Counties)
237 26th Street, Suite 320
Ogden, UT 84401
Phone: (801) 625-3770

You can always contact the **Legal Services Developer** of the Utah State Division of Aging and Adult Services at:

Division of Aging and Adult Services
120 North 200 West, #325
Salt Lake City, Utah 84103
Phone: 801-538-3910
Fax: 801-538-4395
E-mail: DAAS @utah.gov

Free legal services for certain civil matters are available to persons 60 years of age and older through **Utah Legal Services** (ULS) throughout most of the state. ULS also handles certain civil matters for low-income persons of all ages throughout the state. If ULS is unable to handle a case, it provides useful referrals. Statewide intake is available in English and Spanish.

Utah Legal Services, Inc.
205 North 400 West, 3rd Floor
Salt Lake City, Utah 84103
Phone and Fax: 801-328-8891
In-state toll free: 800-662-4245
Website: www.uls.state.ut.us

Cedar City
965 South Main, #3
Cedar City, Utah 84720
Phone 435-586-2571
Fax: 435-586-1013
In-state toll free: 800-662-1772

Ogden
893 24th Street, #300
Ogden, Utah 84401
Phone and Fax: 801-394-9431
In-state toll free: 800-662-2538

Provo
455 North University Avenue, Suite 100
Provo, Utah 84601
Phone and Fax: 801-374-6766
In-state toll free: 800-662-1563

What Are Other Sources of Free Legal Services?

The Disability Law Center is a private non-profit organization designated by the governor as the state's protection and advocacy agency. DLC provides advocacy and legal assistance free of charge to eligible clients. DLC handles cases concerning the abuse and neglect of people with disabilities, physical and programmatic accessibility, fair housing, special education, non-institutional living options for people with disabilities, and other issues relating to the rights of people with disabilities. DLC's central office is in Salt Lake City. Satellite offices are located in Cedar City, Logan, Orem, and Ogden.

Disability Law Center

205 North 400 West

Salt Lake City, Utah 84103

Phone: 801-363-1347

Voice/TDD 1-800-662-9080

Fax 801-363-1437

Website: www.disabilitylawcenter.org

The Legal Aid Society of Salt Lake provides free legal services to income-eligible clients with domestic relations and some guardianship cases. It also provides free representation to victims of domestic violence, regardless of income. Domestic violence includes elder abuse cases. Domestic relations and domestic violence cases, including stalking injunctions, are limited to Salt Lake County, but guardianship cases may be statewide.

Legal Aid Society of Salt Lake

205 North 400 West, 2nd Floor

Salt Lake City, Utah 84103

Phone: 801-328-8849

Fax: 801-359-7359

The Multi-Cultural Legal Center strives to assure that legal advocacy is accessible to Utah's racial and ethnic communities.

Multi-Cultural Legal Center

309 East 100 South, #3

Salt Lake City, Utah 84111

Phone: 801-486-1183

The Senior Lawyer Volunteer Project provides free legal services statewide to income-eligible clients with wills, trusts, property transfers, powers of attorney, and advance directives, including living wills and health care powers of attorney. Volunteer lawyers may be available to make house calls.

Senior Lawyer Volunteer Project

Utah Legal Services, Inc.

205 North 400 West, 3rd Floor

Salt Lake City, Utah 84103

Phone: 801-328-8891 or 1-800-662-4245

Utah Dispute Resolution is a non-profit community mediation service located in Salt Lake City. Mediation services are carried out by a small paid staff and a large group of trained volunteer mediators. It provides access to quality justice regardless of ability to pay.

Utah Dispute Resolution

The Law and Justice Center

645 South 200 East

Salt Lake City, Utah 84111

Phone: 801-532-4841

Fax 801-531-0660

What Are the Volunteer Lawyer Programs for Older Persons?

Senior Legal Clinic Program in Salt Lake County

Needs of the Elderly Committee/Utah State Bar

Volunteer lawyers meet with senior citizens at no cost at senior citizen centers and some senior subsidized housing units throughout Salt Lake County. Volunteers meet one-on-one with clients for 20-minute consultations over a two-hour period. The goal is not to provide in-depth legal representation, but to determine whether the individual has a legal problem and then to identify potential legal services to address the problem. For more information, contact your local senior citizen center or the Pro Bono Coordinator at the Utah State Bar, 801-257-5516.

Senior Legal Clinic Program in Washington County

Volunteer lawyers meet with senior citizens at no cost for one-on-one consultations at the St. George Senior Center on a regular monthly basis. For more information, contact the center at 435-634-5716.

What Are the Other Free Legal Clinics Throughout Utah?

The clinics listed below are open to anyone, regardless of age, and are free of charge. Many clinics require appointments while others accept walk-in clients. Volunteer lawyers are available to meet clients on an individual basis. It is always best to call the contact number before travelling to the clinic. **The times, days, and locations of these clinics are subject to change.** The listing is by geographical location in alphabetical order. For general information, call Utah Legal Services at 801-328-8891, or toll-free within Utah at 1-800-662-4245.

Brigham City-Legal Info Night

Held the 2nd and 4th Tuesday of every month at the YWCA in Brigham City, from 6:30 to 8 p.m., located at 435 East 700 South. The clinic is run on a first-come, first-served basis, no time limits, and no need to call ahead for appointments.

Brigham City-Pro Se Legal Clinic

Utah Legal Services and volunteers help people handle legal actions on their own. Held on the last Thursday of each month from 1 to 4 p.m. in the 2nd Floor Library of the First District Courthouse, 43 North Main in Brigham City. First-come, first-served basis.

Cedar City-Thursday Night Legal Clinic

Held the first Thursday of every month in the Cedar City Library from 6 to 7 p.m., located at 136 West Center Street. First-come, first-served basis. Contact the Utah Legal Services office in Cedar City for more information at 435-586-2571 or 1-800-662-1772, ext. 12.

Layton-Christian Legal Society

Volunteers meet individuals for free consultations on the 1st and 3rd Monday of each month beginning at 6 p.m., in the Mt. View Baptist Church in Layton at Highway 193 and 2585 East 3000 North. For an appointment call 801-771-3204. No religious affiliation is necessary.

Logan-Pro Se Legal Clinic

Utah Legal Services and volunteers help people handle legal actions on their own. Held the 2nd and 4th Thursday of the month from 8:30 to 11:30 a.m., in the Council Chambers of the Cache County Hall of Justice, 120 North 100 West in Logan. First-come, first-served basis. Call the First District Court Clerk at 435-750-1300 prior to attending the clinic to check for any scheduling changes.

Moab-Seek Haven Legal Clinic

Held in Moab at 81 North 300 East, every third Wednesday, from 10 a.m. to 12 noon. First-come, first-served basis. Call 435-259-2229 for more information.

Ogden-Weber County Bar Night

Held the 2nd and 4th Thursday of every month, starting at 5 p.m., at the YCC, 2261 Adams St. in Ogden. Appointments must be made the week prior to the clinic. Contact 801-394-9456.

Park City-Tuesday Night Bar

Held the first Tuesday of every month at the Park City Miners' Hospital from 6 to 8 p.m., located at 1354 Park Avenue in Park City. No appointments necessary.

Provo-Lesue' Weekly Spanish Legal Workshop

This clinic runs every Thursday starting at 6 p.m. at the Maeser Elementary School, 500 East 150 South, in Provo. The workshop is for persons who speak Spanish and assist in domestic law and landlord/tenant law.

Provo-Tuesday Night Bar

Call BYU at 801-422-7759 and talk with the Comprehensive Clinic for a 30-minute appointment at the BYU Taylor Building. The clinic is held on Tuesdays from 5:30 to 7 p.m.

Roosevelt-Free Legal Clinic

Utah Legal Services and volunteers meet with individuals for one-on-one free consultations on the 2nd Wednesday of every month from 1 to 3 p.m. at the Roosevelt Senior Community Center, 50 East 200 South. Walk-ins are welcome. Contact Amy Higginbottom at 801-328-8891, ext. 3375, or 1-800-662-4245, ext. 3375, for more information.

St. George-Talk to a Lawyer

Conducted by the law firm of Snell and Jensen. Volunteer lawyers provide free 15-minute consultations every 3rd Thursday from 6 to 8 p.m. Located at the Washington County Library at 50 South Main Street in St. George. Appointments are necessary. Call 435-628-3688.

Salt Lake City-Community Legal Center Pro Se Clinic

Utah Legal Services and volunteers help people handle legal actions on their own. Held every Wednesday from 11 a.m. to 3 p.m. at the Community Legal Center at 205 North 400 West in Salt Lake City. First-come, first-served basis. Call 801-328-8891 for more information.

Salt Lake County-Family Law Clinic for Self-Represented Litigants

The Legal Aid Society of Salt Lake provides free information and assistance to persons trying to handle family law (divorce, custody, visitation, child support) matters on their own. Monday-Friday, 8 a.m. to 5 p.m., in Room W15 of the Scott Matheson Courthouse, 450 State Street in Salt Lake City. For more information, call 801-238-7440.

Salt Lake County-Pro Se Clinic at the Scott Matheson Courthouse

Held every Tuesday and Thursday evening from 5 to 11 p.m., but you must arrive before 8 p.m. The Courthouse is located at 450 South State Street in Salt Lake City. Wayne Riches, a volunteer lawyer, conducts a discussion on divorce and then he and other volunteers provide free help to persons trying to handle legal actions on their own. Pro se packets include guardianship. No appointments are necessary, but call ahead to confirm dates at 801-328-7804.

Salt Lake County-Tuesday Night Bar

645 South 200 East
Salt Lake City, Utah 84111
801-531-9077

Volunteers with the Young Lawyers Division of the Utah State Bar meet one-on-one with individuals for 30 minutes at no cost. The purpose of this program is to assist the public in determining their legal rights. All individuals are eligible regardless of income or legal issue. Tuesday Night Bar is held four Tuesdays each month between 5 and 6:30 p.m. at the Utah Law and Justice Center in Salt Lake City. Appointments must be made through the Bar by calling 531-9077.

Salt Lake County-Street Law Project

Utah Legal Services and volunteers meet one-on-one with individuals for free legal consultations in a variety of settings. The clinics listed below are subject to change. All Street Law Project sites function on a first-come, first-served basis. No appointments are necessary and the clinics are open to anyone. Contact 801-328-8891 for more information.

Deaf Legal Clinic

Held the 3rd Wednesday of every month from 6 to 9 p.m. at 5709 South 1500 West in Taylorsville.

Fourth Street Viaduct

Held every Sunday from 8:30 to 10:30 a.m. at 500 South between 600 and 700 West.

Guadalupe School

Held every Tuesday from 5 to 7 p.m. at 340 South Goshen Avenue (1040 West). Spanish speakers are always available.

Indian Walk-In Center

Held the 2nd Tuesday of every month from 2 to 4 p.m. at 120 West 1300 South.

Polynesian/Pacific Islander Legal Clinic

Held the 2nd Wednesday of every month from 6 to 8 p.m. at 855 West California Avenue.

Saint Vincent de Paul Center

Held every Thursday from 12 to 3 p.m. at 427 West 200 South.

YWCA

Held the 1st Wednesday of every month from 6:30 to 8:30 p.m. at the YWCA in Salt Lake City. This clinic is open only to YWCA residents.

Tooele Pro Se Legal Clinic

Utah Legal Services and volunteers help people handle legal actions on their own. Held every Monday from 10 a.m. to 12 noon at the Tooele Courthouse, 47 South Main Street, in room 318. Call 435-843-3210 to make an appointment.

Vernal Pro Se Legal Clinic

Utah Legal Services and volunteers help people handle legal actions on their own. Held the 2nd Tuesday of every month at the Vernal Courthouse, 147 East Main, from 1 to 3 p.m.

How Do I Find a Private Attorney?

Private attorneys provide legal services for all types of legal issues at a cost to the client. If you do not have a lawyer, get recommendations for good ones from trusted friends and relatives. Interview the lawyer and don't be afraid to ask him or her how much he or she charges and what he or she will do for you. Choose the lawyer you like best and feel most comfortable with.

If you don't know how to find a lawyer but believe you have the money to pay for one, contact the **Lawyer Referral Service of the Utah State Bar**.

This service provides names of private lawyers who handle cases for a fee. The initial 1/2-hour consultation with a lawyer found through this service is set at \$30. Lawyers are also listed in the phone book in both the yellow and white pages.

Lawyer Referral Service of the Utah State Bar

645 South 200 East

Salt Lake City, Utah 84111

Phone: 801-531-9077 or 1-800-698-9077

Website: www.utahbar.org

What Internet Sites Provide Information on Legal and Advocacy Issues?

There are many useful Internet sites. Here are a few government and non-profit organization sites that may provide useful information for seniors:

AARP

www.aarp.org

A consumer-oriented site that provides a wide variety of information on issues, including legal ones, that affect seniors.

Administration on Aging

www.aoa.gov

The best place to start for information on any issues related to aging. This site also includes information on how to contact the ElderCare Locator for help nationwide in locating local community assistance for seniors.

American Bar Association Commission on Law and Aging

www.abanet.org/aging

Useful site for current issues in elder law, Internet links, and publications by the Commission.

Bazelon Center's Palliative Care Project

www.painlaw.org

A comprehensive review of medical, legal, and ethical issues, including patients' rights, that arise in pain and palliative care.

End of Life Care Partnership

www.carefordying.org

A consumer-oriented site that provides excellent information on all aspects of dying in Utah. This site also includes Utah's statutory forms for living wills and special powers of attorney for health care decisions.

Kansas Elder Law Network

www.keln.org

Despite its name, this is an excellent site for information on a variety of elder law issues, including many publications and links to further resources.

National Academy of Elder Law Attorneys

www.naela.org

Useful information on NAELA and its publications and resources. Also includes an excellent list of links to other web sites on aging and the law. Provides a list of elder law attorneys in each state.

National Consumer Law Center

www.nclc.org

An excellent source of information on low-income consumer issues, including senior issues.

National Senior Citizens Law Center

<http://nsclc.org>

Useful site from this national support group providing advocacy tips and many links.

Partnership for Caring

www.partnershipforcaring.org

A national consumer and advocacy group's web site that provides excellent information on its Legal Developments page and all state advance directives forms on its State Specific pages.

Salt Lake County Aging Services

www.slcoagingservices.org

A very informative site for aging services in Salt Lake County.

Social Security Administration

www.ssa.gov

This is a comprehensive government site for everything you ever wanted to know about social security. All social security forms are available on line here. There is a new, special section just for women, and new sections are added regularly. There is useful information here for someone looking into becoming a representative payee.

Utah Courts

www.utcourts.gov

This site provides general information about courts in Utah, opinions and other publications, and online forms for some legal matters including divorce and small claims court.

Utah Legal Services

www.uls.state.ut.us

Non-profit civil legal services provider throughout Utah. This agency contracts with Utah's Area Agencies on Aging to provide free legal help to persons 60 years of age and older.

Utah Legislature

www.le.state.ut.us

Here's where to find out what the legislature is up to and what proposed laws look like.

Utah State Bar

www.utahbar.org

Provides information on the Needs of the Elderly Committee, the Estate Planning Section, pro bono programs, and a listing of all licensed attorneys in the state.

Utah State Department of Commerce

www.commerce.utah.gov

This department responds to consumer complaints, investigates deceptive business practices, and provides information on consumer protection, corporations, and occupational and professional licensing.

Utah State Department of www.dhs.utah.gov

The state agency that provides social services for people with disabilities, children, seniors, and others. Useful links to other state government information.

Utah State Division of Aging and Adult Services

www.hsdaas.utah.gov

The state agency for aging services provides a full listing of Area Agencies on Aging throughout Utah and their services, Adult Protective Services, and the Health Insurance Information Program (HIIP), which is an excellent resource for Utah specific information on Medicare, Medicaid, and long-term care insurance.

Utah State Insurance Department

www.insurance.utah.gov

A wealth of information on all types of insurance and consumer protection issues.

Utah State Library Division

www.lib.utah.gov

An excellent source for Utah libraries, laws, and legal information. To locate specific Utah laws, you may find the Utah Code Annotated or Unannotated in your local libraries or the University of Utah College of Law Quinney Law Library. You can also find the Utah Code and other Utah regulations at www.pioneer.utah.gov. The Quinney Law Library is found at www.law.utah.edu/library.

Human Services